SINGLE BENCH

C.S. 1001 — (8)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2205 /2006

PETITIONER — Sunau Ram Yadav, S/o. Shri Mohit Ram Yadav, Aged about 60 years, R/o. Badi Koni, Tahsil & Distt. Bilaspur (C.G.)

P.R. No. 2126/06
Presented by Shri Sanjeev Ku. Saha
dated 19/4/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Principal Secretary, Department of Public Works, Mantralaya, D.K.S Bhawan Raipur (C.G.).

RECEIVED-COPY
19/4/06
CLERK to A. G. BILASPUR

2. The Superintending Engineer, Department of Public Works, Bilaspur Division, Bilaspur (C.G.)

3. The Sub Divisional Officer, Public Works Department, Sub Division-3, Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ORDER/DIRECTIONS IN NATURE OF WRITS OF MANDAMUS, CERTIORARY OR ANY OTHER WRIT OR LIKE NATURE

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 2205 OF 2006

Petitioner : Sunau Ram Yadav

versus

Respondents : State of Chhattisgarh & Others

Present : Shri Ashok Soni, counsel for the petitioner.
Shri V.V.S. Moorthy, Deputy Advocate General with Shri A.S. Kachuwaha, Government Advocate for the State.

ORAL ORDER

(2nd May, 2006)

1. Learned counsel for the petitioner submits that the petitioner was employed as Gangman in the Public Works Department, Government of Chhattisgarh.

2. The petitioner was served a notice on 9.1.2006, intimating the petitioner that the petitioner would retire on attaining the age of superannuation i.e. 60 years on 30.4.2006 and the petitioner would stand retired w.e.f. same date.

3. Learned counsel for the petitioner submits that the age of retirement of permanent Gangman is 62 years and the petitioner is permanent Gangman. Shri A.S. Kachuwaha learned counsel appearing for the respondents, fairly admits that in case of permanent Gangman, the age of retirement is 62 years.

4. In view of clear admission of the State Government, order dated 9.1.2006 whereby, the petitioner has been directed to retire from service on attaining the age of 60 years is bad and deserves to be set aside and is accordingly set aside. The

petitioner is entitled to serve as permanent Gangman until attaining the age of 62 years.

5. The petition is accordingly allowed to the above extent.

Sd/-
Satish K. Agnihotri
Judge